

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: :  
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OPENAI, INC., : 25-md-3143 (SHS) (OTW)  
COPYRIGHT INFRINGEMENT LITIGATION, :  
 :  
 : **ORDER**  
This Document Relates To: :  
**23-CV-11195** :  
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**ONA T. WANG, United States Magistrate Judge:**

The Court is in receipt of OpenAI’s proposed order regarding the sampling methodology for the output log data marked for deletion, (*see* ECF 104), as well as News Plaintiffs’ request for an opportunity to respond to OpenAI’s proposal. (ECF 98).

News Plaintiffs’ request is **GRANTED**. News Plaintiffs are directed to file a letter response not to exceed three pages by **Friday, June 13, 2025**. News Plaintiffs’ letter response should address, but is not limited to, the following:

- 1) OpenAI’s proposed search terms, (*see* ECF 104-1);
- 2) The distinction, if any, between the proposed “test” and “control” samples; and
- 3) The relevance of the sampling methodology from the *Anthropic* case proposed by OpenAI to the data sets at issue.

**SO ORDERED.**

Dated: June 11, 2025  
New York, New York

s/ Ona T. Wang  
**Ona T. Wang**  
United States Magistrate Judge